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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,222	04/11/2001	Ning Qin	ORT-1414	3034
27777	7590	08/15/2006	EXAMINER	
PHILIP S. JOHNSON JOHNSON & JOHNSON ONE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK, NJ 08933-7003			SHAHER, SHULAMITH H	
			ART UNIT	PAPER NUMBER
			1647	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20060808

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Commissioner for Patents

The reply filed on 09 June 2006 is not fully responsive to the prior Office Action of 07 December 2005 because of the following omission(s) or matter(s):

Applicants did not respond to Examiner's provisional rejection of Claims 1-8 and 13 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 11, 12 and 18 of Application 10/119624 in prior Office Action of 7 December 2005. The Examiner has issued a Notice of Allowance of these claims, but this application is not yet an issued patent. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented; the rejection will become non-provisional when the application issues as a patent.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shulamith H. Shafer, Ph.D. whose telephone number is 571-272-3332. The examiner can normally be reached on Monday through Friday, 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached on 571-272-0961. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SHS

Lorraine Spector
LORRAINE SPECTOR
PRIMARY EXAMINER